

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

W.P. (Civil) No.36 of 2009 – Measures for Prevention of fatal accidents of Small Children due to their falling into abandoned bore wells and tube wells – Guidelines / Directions of Supreme Court of India Dated:11.2.2010 – Consolidated instructions – Issued

PANCHAYAT RAJ AND RURAL DEVELOPMENT (RD.III) DEPARTMENT

G.O.Ms.No. 163

Dated:11.07.2011

Read the following:-

- 1). From the Assistant Registrar, Public Interest Litigation (Writ), Supreme Court of India, dt.17.2.2010.
- 2). Govt.Memo.No.4916/RD.III/A1/2010 Dt.05-03-2010 addressed to District Collectors
- 3). Sri Krishna Tirath, Minister of State (Independent charge) Ministry of Women & Child Development, GOI, New Delhi, Lr. Dt:23-06-2010 addressed to Hon'ble Chief Minister.

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ORDER:

The Hon'ble Supreme Court of India while passing orders in the Public Interest Litigation, W.P.(Civil) No.36 of 2009 has issued general guidelines regarding the safety measures to be observed by all the states for the prevention of children being trapped and falling into bore wells and tube wells or abandoned wells as follows:-

- (i). "The owner of the land/premises, before taking any steps for constructing bore well/tube well must inform in writing at least 15 days in advance to the concerned authorities in the area, i.e., District Collector/ District Magistrate/Sarpanch of the Gram Panchayat/ concerned officers of the Department of Ground Water/Public Health/ Municipal Corporation, as the case may be, about the construction of bore well/ tube well.
- (ii). Registration of all the drilling agencies, viz., Government / Semi Government/Private etc., should be mandatory with the district administration.
- (iii). Erection of signboard at the time of construction near the well with the following details:-
 - a. Complete address of the drilling agency at the time of construction/ rehabilitation of well.
 - b. Complete address of the user agency/ owner of the well.
- (iv). Erection of barbed wire fencing or any other suitable barrier around the well during construction.
- (v). Construction of cement/ concrete platform measuring 0.50 x 0.50 x 0.60 meter (0.30 meter above ground level and 0.30 meter below ground level) around the well casing.
- (vi). Capping of well assembly by welding steel plate or by providing a strong cap to be fixed to the casing pipe with bolts & nuts.
- (vii). In case of pump repair, the tube well should not be left uncovered.

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- (viii). Filling of mud pits and channels after completion of works.
- (ix). Filling up abandoned bore wells by clay/sand/ boulders / pebbles / drill cuttings etc from bottom to ground level.
- (x). On completion of the drilling operations at a particular location, the ground conditions are to be restored as before the start of drilling.
- (xi). District Collector should be empowered to verify that the above guidelines are being followed and proper monitoring check about the status of boreholes /tube wells are being taken care through the concerned state / Central Government agencies.
- (xii). District / Mandal / Village wise status of bore wells/ tube wells drilled viz. No. of wells in use, No. of abandoned bore wells/ tube wells found open, No. of abandoned bore wells / tube wells properly filled up to ground level and balance number of abandoned bore wells/ tube wells to be filled up to ground level is to be maintained at District Level. In rural areas, the monitoring of the above is to be done through Village Sarpanch and the Executive from the Agriculture Department.

In case of urban areas, the monitoring of the above is to be done through Junior Engineer and the Executive from the concerned Department of Ground Water / Public Health/ Municipal Corporation etc.,

(xiii). If a bore well / tube well is 'Abandoned' at any stage, a certificate from the concerned department of Ground Water/ Public health / Municipal Corporation / Private contractor etc., must be obtained by the aforesaid agencies that the 'Abandoned' bore wells/ tube well is properly filled up to the ground level. Random inspection of the abandoned wells is also to be done by the Executive of the concerned agency/ department. Information on all such data on the above are to be maintained in the O/o the District Collector/ Mandal Office of the State.

- 2) All the authorities concerned shall observe the guidelines scrupulously and also give wide-publicity of the guidelines through the national Television Channels and also issue necessary instructions to their Subordinate Officers for adhering to the measures ordered by the Hon'ble Supreme Court of India.
- 3) In view of the fact that the matter is of a very serious and urgent nature and that the Supreme Court of India have themselves framed general guidelines for adoption by all the States in the Country, the Government have carefully examined the matter and are of the view that it will be desirable to issue consolidated orders at Government level so that there will be uniformity in the maintenance of records and scrupulous enforcement of the Supreme Court guidelines in its letter and spirit.
- 4) The Government accordingly direct that a Register be maintained in the subordinate Offices under their control, and also in all the District Collectorates for the purpose of ensuring that all the bore wells are capped intact during the execution of work if they are abandoned. The Register shall be maintained in the format appended to this order.
- 6) The Government also hereby direct all the District Collectors to include the item as a subject for discussion in their regular monthly review meetings with line departments and Agencies and report instances of violation if any, to Government and also take action as per law for violation of these instructions.

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7) The District Collectors are further directed to incorporate and append a copy of the guide lines framed by the Supreme Court of India in the agreement to be entered between the Department / Agency and the contractor, in future, stating that deviations if any will be viewed seriously.

8) The details of permission given /work taken up for sinking of bore well / tube well in the urban areas / rural areas to the respective local bodies and also the District Collectors for record purposes and monitoring or follow up action shall be intimated to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (RD)

To

The Commissioner, Rural Development. A.P Hyderabad

The Commissioner, Panchayath Raj A.P Hyderabad

The Director of NREGS A.P Hyderabad

The Special Commissioner, A.P. Lively hood Project, A.P Hyderabad

The C.E.O& Commissioner Water Conservation Mission, A.P Hyderabad

The Engineer –in-Chief Panchayath Raj, A.P Hyderabad

The Commissioner, A.M.R, A.P. Academy of Rural Development, A.P Hyderabad

The C.E.O, Society for Elimination of Rural Poverty, A.P Hyderabad

The C.E.O, Employment Generation & Marketing mission, A.P Hyderabad

The Engineer-in-Chief, Rural Water Supply & Sanitation, A.P Hyderabad

All the District Collectors (By name cover)

All Departments of Secretariat for taking necessary action.

Copy to:

PS to Minister (RD)

PS to Prl. Secretary to Government (RD)

SF/SC

// Forwarded by Order //

Section Officer

Annexure to the G.O.Ms.No. 163 ,Panchayath Raj & Rural Development (RD.III) Department, Dated.11.07.2011.

Monthly Report for District / Mandal / Village wise status of bore wells / tube wells drilled

Sl. No.	Name of ward / Village / Mandal / District	No. and date of order granted permission for sinking bore well (including the name of Competent Authority)	Name of the executing Agency / Contractor	Diameter / depth of the bore well permitted	Whether work has been completed: If not, whether the capping has been properly done	Remarks
1	2	3	4	5	6	7

**R.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (RD)**